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## TRANSMITTAL FORM

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		Application Number	10/607,010
		Filing Date	June 26, 2003
		First Named Inventor	Ed AUSTIN, et al.
		Art Unit	3733
		Examiner Name	Shaffer, Richard R.
Total Number of Pages in This Submission	4	Attorney Docket Number	39262/285776

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  1. Form PTO/SB/08 (one sheet) 2. 03 publications
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Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Geoffrey K. Gavin, Reg. No. 47,591 Kilpatrick Stockton LLP
Signature	
Date	February 6, 2006

**CERTIFICATE OF TRANSMISSION/MAILING**

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Typed or printed name	Lindsey Porter <i>ANGELA M. ROSSI</i>
Signature	<i>Angela M. Rossi</i>
Date	February 6, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ed AUSTIN, et al.

SERIAL NO.: 10/607,010 Group Art Unit: 3733

FILED: June 26, 2003 EXAMINER: Shaffer, Richard R.

FOR: EXTERNAL FIXATION APPARATUS AND METHOD

ATTORNEY DOCKET NO.: 39262/285776  
DATE: February 6, 2006

MAIL STOP AMENDMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

02/10/2006 HTECKLU1 00000037 10607010  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are cited for consideration by the Examiner. Copies of non-U.S. cited publications are enclosed.

Submission of the references provided in this Information Disclosure Statement is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

Applicants file this paper pursuant to 37 C.F.R. 1.97(c), before issuance of an action closing prosecution. The Commissioner is authorized to charge the firm credit card in the amount of \$180.00. Enclosed is a PTO Form 2038. The Commissioner is authorized to charge any additional fees that may be due or credit any overpayment to Deposit Account No. 11-0855.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

U.S. Serial No. 10/607,010

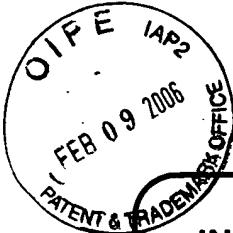
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Respectfully submitted,



Geoffrey K. Gavin  
Registration No. 47,591

KILPATRICK STOCKTON LLP  
Suite 2800, 1100 Peachtree Street  
Atlanta, Georgia 30309-4530  
Phone: (404) 815-6046



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Substitute for form 1449A-PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	5	Attorney Docket Number	39262/285776
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**Complete if Known**

Application Number	10/607,010
Filing Date	June 26, 2003
First Named Inventor	Ed AUSTIN
Group Art Unit	3733
Examiner Name	Shaffer, Richard R.

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		4,170,990	10-1979	Baumgart, et al.	
		4,666,109	05-1987	Fallon, et al.	
		4,730,608	03-1988	Schlein	
		5,624,447	04-1997	Myers	
		5,662,648	09-1997	Faccioli, et al.	
		5,690,633	11-1997	Taylor, et al.	
		5,728,096	03-1998	Faccioli, et al.	
		5,823,486	10-1998	Smith, et al.	
		5,968,043	10-1999	Ross, et al.	
		6,066,142	05-2000	Serbousek, et al.	
		6,238,400	05-2001	Bays	
		6,386,786	05-2002	Perlman, et al.	
		6,613,049	09-2003	Winquist, et al.	
		6,616,664	09-2003	Walulik, et al.	
		6,709,433	03-2004	Schoenefeld	
		10/172654	06-14-2002	Ferrante, et al.	
		10/067052	02-04-2002	Ferrante, et al.	
		2002/0245939 A1	11-03-2005	Ferrante, et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		WO 03/105704 A1	12-24-2003	Smith & Nephew		
		WO 04/062514 A1	07-29-2004	Smith & Nephew		
		WO 06/007553 A2	01-19-2006	Smith & Nephew		

Examiner Signature

Date Considered

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.